

No. 4:09-CV-37-DAN

Defendant.

## ORDER

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Plaintiff timely filed his notice of appeal within the 60 days provided under Rule 4(a)(1)(B), the motion for extension of time is **DENIED AS MOOT**. To the extent Plaintiff seeks an extension of briefing or other post-filing deadlines in connection with his appeal, such relief is within the province of the Court of Appeals and cannot be granted by this Court.

### **CONCLUSION**

Plaintiff's motion for discovery [DE-50] is **DENIED**, and Plaintiff's motion for an extension of time to file an appeal [DE-52] is **DENIED AS MOOT**.

This the 15<sup>th</sup> day of November, 2010.

A handwritten signature in black ink, appearing to read 'David W. Daniel', written over a horizontal line.

DAVID W. DANIEL  
United States Magistrate Judge